

IN THE COURT OF COMMON PLEAS
HAMILTON COUNTY, OHIO

State of Ohio,)	
)	
Plaintiff-Respondent)	
)	Case No.: B 925607
vs.)	
)	JUDGE BETH MYERS
Michael Bies,)	
)	
Defendant-Petitioner)	

EXHIBIT E
AFFIDAVIT OF S. SCOTT HAYNES

S. Scott Haynes, after being duly sworn to law, states as follows:

1 I am an attorney licensed to practice law in the State of Ohio.

2 I am one of the attorneys currently representing Michael Bies in the present proceeding. I also represent Michael Bies in Bies v. Bagley case No. CV-1-00-682 (S.D. Ohio) in which Michael is seeking federal habeas corpus relief.

3 In the federal proceedings, Magistrate Judge Michael Merz awarded Michael discovery. During the discovery Michael Bies obtained a copy of the file of the Hamilton County Court Clinic concerning his capital case during 1992.

4 The Court Clinic file contains copies of the transcripts of both of Michael's statements that he made on July 28, 1992, to the investigating officers. These are the same transcripts that the prosecutor filed with this Court on December 1, 2003. The Court Clinic file also contains references to a videotaped statement which the Clinic possessed. I believe this reference is to his videotaped statement made by Michael at the crime scene. The prosecutor on December 1, 2003, filed with this Court an audio tape this statement.



Further affiant saith naught.


S. SCOTT HAYNES

Sworn to and subscribed in my presence this 26th day of December, 2003.


NOTARY PUBLIC

#191377



LAUREL STANFORD
Attorney at Law
Notary Public, State of Ohio
My Commission has no expiration date
Sec. 147.06 R.C.